

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CARPENTERS PENSION AND ANNUITY FUND	:	CIVIL ACTION
OF PHILADELPHIA AND VICINITY, et al	:	
	:	
Plaintiffs	:	
	:	
v.	:	
	:	
THOMAS H. JOHNSON	:	
	:	
Defendant	:	NO. 02-4547

REQUEST TO ENTER DEFAULT PURSUANT TO F.R.C.P. 55(a)

You will please enter a default on Defendant Thomas H. Johnson failure to plead or otherwise defend the Complaint filed on July 10, 2002, as provided in Rule 55(a) of the Federal Rules of Civil Procedure as appears in the attached declaration of Richard J. DeFortuna, Esquire.

Respectfully submitted,

JENNINGS SIGMOND, P.C.

By: s/Richard J. DeFortuna
RICHARD J. DeFORTUNA, ESQUIRE (ID. NO.86260)
SANFORD G. ROSENTHAL (ID. NO. 38991)
Jennings Sigmond, P.C.
The Penn Mutual Towers
510 Walnut Street, 16th Floor
Philadelphia, PA 19106
(215) 351-0622/0611

Date: August 26, 2002

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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	:	
Plaintiffs	:	
	:	
v.	:	
	:	
THOMAS H. JOHNSON	:	
	:	
Defendant	:	NO. 02-4547

DECLARATION OF RICHARD J. DEFORTUNA FOR ENTRY OF DEFAULT

Richard J. DeFortuna, Esquire, having been first duly sworn according to law, hereby deposes and states as follows:

1. I am the attorney for the Plaintiffs in the above-entitled action.
2. The Complaint and Summons in this action were served on the Defendant, by Stephen Nardy, Process Server, on July 27, 2002, as appears from the Affidavit of Service of the Complaint which has been duly docketed with the Court. The time in which the Defendant may answer or otherwise move as to the Complaint has expired.
3. The Defendant has not answered or otherwise moved and the time for Defendant to answer or otherwise move has not been extended.

I declare under penalty of perjury in accordance
with 28 U.S.C. §1746 that the foregoing is true and
correct to the best of my knowledge, information
and belief

Executed on : August 26, 2002

s/Richard J. DeFortuna
RICHARD J. DEFORTUNA, ESQUIRE

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	:	
Plaintiffs	:	
	:	
v.	:	
	:	
THOMAS H. JOHNSON	:	
	:	
Defendant	:	NO. 02-4547

DECLARATION OF NON-MILITARY SERVICE

RICHARD J. DEFORTUNA, ESQUIRE, having been duly sworn according to law hereby deposes and states that he is legal counsel for Plaintiffs Carpenters Pension and Annuity Fund of Philadelphia and Vicinity, et al., and that the Defendant is not in the military or naval service of the United States or its allies, or otherwise within the provisions of the Soldiers and Sailors Civil Relief Act of 1940 or its amendments.

I declare under penalty of perjury in accordance with 28 U.S.C. §1746 that the foregoing is true and correct to the best of my knowledge, information and belief

Executed on : August 26, 2002

s/Richard J. DeFortuna
RICHARD J. DEFORTUNA, ESQUIRE

CERTIFICATE OF SERVICE

I, Richard J. DeFortuna, Esquire, statue under penalty of perjury that I caused a copy of the foregoing Request to Clerk to Enter Default Pursuant to F.R.C.P. 55(a) to be served via first class mail, postage prepaid on the date and to the address below:

Thomas H. Johnson
3425 Sheffield Street
Philadelphia, PA 19136

s/Richard J. DeFortuna
RICHARD J. DEFORTUNA, ESQUIRE

Date: August 26, 2002

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